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5 | Attorneys for Defendant  
SULZER PUMPS (US) INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

1 JO GUNTER HEWITT, individually and on  
2 Behalf of the Estate of RONALD HEWITT,  
3 decedent; SUSAN SIMPSON; RHONDA  
KNIGHT and DOES ONE through TEN,  
inclusive.

Case No.: 3:07-CV-03474-JCS

**DEFENDANT SULZER PUMPS (US)  
INC.'S NOTICE OF TAG-ALONG  
ACTION**

**Plaintiffs,**

v.

6 ALLIS CHALMERS CORPORATION  
PRODUCT LIABILITY TRUST, et al.,

## Defendants.

TO THE CLERK OF THE ABOVE-ENTITLED COURT, AND TO ALL PARTIES  
AND THEIR ATTORNEYS OF RECORD:

22 PLEASE TAKE NOTICE THAT on July 29, 1991, the Judicial Panel of Multi-  
23 District Litigation entered an order transferring all asbestos cases pending in the federal  
24 courts to the United States District Court, Eastern District of Pennsylvania, for  
25 coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1207 ("MDL  
26 Transfer Order"). The MDL Transfer Order also applies to "tag-along actions," which  
27 refers to a civil action pending in a District Court and involving common questions of fact  
28 with actions previously transferred under Section 1407 by the Judicial Panel of Multi-

1 District Litigation pursuant to a January 17, 1991 Order to Show Cause. See Multi-  
2 District Litigation Rules ("MDL Rules"), Rule 11.

3 Pursuant to MDL Rule 7.5(c),

4 Any party or counsel in actions previously transferred under  
5 Section 1407 or under consideration by the Panel for transfer  
6 under Section 1407 shall notify the Clerk of the Panel of any  
potential "tag-along actions" in which that party is also named  
or in which that counsel appears.

7 Defendant Sulzer Pumps (US) Inc. hereby notifies the Court that the above-  
8 entitled action involves all or a material part of the same subject matter as another action  
9 which is pending in another federal court. Accordingly, the above-entitled action is  
10 considered a "tag-along action" subject to transfer to the United States District Court for  
11 the Eastern District of Pennsylvania, because the action involves alleged injuries due to  
12 exposure to asbestos. The Clerk of the Panel may either (1) enter a conditional transfer  
13 pursuant to MDL Rule 7.4(a) or (2) file an order to show cause why this action should not  
14 be transferred pursuant to MDL Rule 7.5(b).

15 DATED: July 16, 2007

SCHIFF HARDIN LLP

16 By

17   
18 ALEX P. CATALONA  
19 Attorneys for Defendant  
20 SULZER PUMPS (US) INC.

SCHIFF HARDIN LLP  
ATTORNEYS AT LAW  
SAN FRANCISCO

1 **PROOF OF SERVICE**

2 (JO GUNTER HEWITT, et al. v. ALLIS CHALMERS CORP. PRODUCT LIABILITY TRUST, et al.  
3 United States District Court, Northern District of California Case No. 3:07-CV-03474-JCS)

4 I, the undersigned, declare:

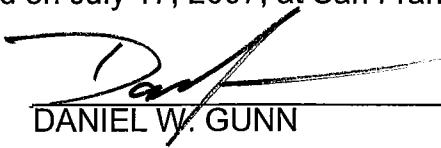
5 I am a resident of the State of California and over the age of eighteen (18) years,  
6 and not a party to the within action. I am an employee of Schiff Hardin LLP, and my  
7 business address is One Market, Spear Street Tower, Thirty Second Floor, San  
Francisco, California 94105.

8 On the date below, I caused to be served the following document(s):

9 **DEFENDANT SULZER PUMPS (US) INC.'S NOTICE OF TAG-  
ALONG ACTION**

10  **BY E-FILING:** By electronically serving the document(s) via the  
11 ECF/PACER system on the recipients designated on the Transaction Receipt  
located on the CAND ECF/PACER website.

12 I declare under penalty of perjury under the laws of the State of California that the  
13 foregoing is true and correct. Executed on July 17, 2007, at San Francisco, California.

14   
15 DANIEL W. GUNN